



Department of the Interior  
U.S. Fish and Wildlife Service

Expires XX/XX/XXXX  
OMB No. 1018-0093

**Federal Fish and Wildlife Permit Application Form**

**Return to:** Division of Management Authority (DMA)  
U.S. Fish and Wildlife Service  
4401 N. Fairfax Drive, Room 700  
Arlington, VA 22203  
1-800-358-2104 or 703-358-2104

**Type of Activity:**  
**EXPORT OF ARTIFICIALLY PROPAGATED PLANTS**  
**(Multiple Commercial Shipments)**  
**New Application**  
**Amendment or Renewal of Master file #**

Complete Sections A or B, and C, D, and E of this application. U.S. address may be required in Section C, see instructions for details.  
**See attached instruction pages for information on how to make your application complete and help avoid unnecessary delays.**

<b>A. Complete if applying as an individual</b>			
1.a. Last name	1.b. First name	1.c. Middle name or initial	1.d. Suffix
2. Date of birth (mm/dd/yyyy)	3. Social Security No.	4. Occupation	5. Affiliation/ Doing business as (see instructions)
6.a. Telephone number	6.b. Alternate telephone number	6.c. Fax number	6.d. E-mail address

<b>B. Complete if applying on behalf of a business, corporation, public agency or institution</b>			
1.a. Name of business, agency, or institution		1.b. Doing business as (dba)	
2. Tax identification no.		3. Description of business, agency, or institution	
4.a. Principal officer Last name	4.b. Principal officer First name	4.c. Principal officer Middle name/ initial	4.d. Suffix
5. Principal officer title		6. Primary contact	
7.a. Business telephone number	7.b. Alternate telephone number	7.c. Business fax number	7.d. Business e-mail address

<b>C. All applicants complete address information</b>				
1.a. Physical address (Street address; Apartment #, Suite #, or Room #; no P.O. Boxes)				
1.b. City	1.c. State	1.d. Zip code/Postal code:	1.e. County/Province	1.f. Country
2.a. Mailing Address (include if different than physical address; include name of contact person if applicable)				
2.b. City	2.c. State	2.d. Zip code/Postal code:	2.e. County/Province	2.f. Country

<b>D. All applicants MUST complete</b>	
1.	Attach check or money order payable to the U.S. FISH AND WILDLIFE SERVICE <b>in the amount identified on page 2</b> . Federal, tribal, State, and local government agencies, and those acting on behalf of such agencies, are exempt from the processing fee – <b>attach documentation of fee exempt status as outlined in instructions.</b> (50 CFR 13.11(d))
2.	Do you currently have or have you ever had any Federal Fish and Wildlife permits? Yes If yes, list the number of the most current permit you have held or that you are applying to renew/re-issue: _____ No
3.	Certification: I hereby certify that I have read and am familiar with the regulations contained in <b>Title 50, Part 13 of the Code of Federal Regulations</b> and the other <b>applicable parts in subchapter B of Chapter I of Title 50</b> , and I certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to the criminal penalties of 18 U.S.C. 1001.
<hr/> Signature ( <b>in blue ink</b> ) of applicant/person responsible for permit (No photocopied or stamped signatures) <span style="float: right;">Date of signature (mm/dd/yyyy)</span>	

**Please continue to next page**

## E. EXPORT OF ARTIFICIALLY PROPAGATED PLANTS (Multiple Commercial Shipments)

The information in this application is used to determine whether your plant specimens (i.e., species, hybrids, cultivars) meet the criteria of artificial propagation as defined by CITES Resolution Conf. 11.11 (Rev. CoP13; [www.cites.org/](http://www.cites.org/)).

### This application may be used to:

**Establish a Master File (processing fee = \$200):** If approved for export, a Master File and an approved plant list, valid for up to three years, will be created from the information you provide. Once the Master File is approved, you must obtain single-use Certificates of Artificially Propagated Plants (CAPPs; processing fee of \$5/certificate), valid for 6 months, to export artificially propagated specimens of the approved species, hybrids, and cultivars. CAPPs must be obtained prior to making any shipment and must accompany the shipment. Additional single-use CAPPs may be requested by submitting form 3-200-74 (<http://www.fws.gov/forms/>).

**Amend a current Master File (processing fee = \$100):** This form must be used to amend a current master file. A master file must be **amended** when there have been changes to the information provided for a current master file (e.g., addition and/or deletions of species/hybrids/cultivars, source of plant material).

**Renew a Master File (processing fee = \$100):** To renew a master file that has or will soon expire, you must complete this entire application. Provide information on any changes to your facility, operations, or species that you wish to export (e.g., plants propagated, sources of plant material). We require a complete inventory of the plants or plant material that you expect to export under the permit, including both previously approved plants as well as new plants (indicate any plants that are new on your inventory list).

### I would like to:

- Establish a new Master File (\$200 fee)
- Amend an existing Master File; PRT # \_\_\_\_\_ (\$100 fee)
- Renew a Master File; PRT # \_\_\_\_\_ (\$100 fee)

**Indicate the number of single-use CAPPs you anticipate using in the next 6 months:** \_\_\_\_ (fee - \$5/certificate)

---

**This form should NOT be used to re-export plant specimens.** For shipments of plants that were previously imported with a CITES document, complete application form 3-200-32. These plants cannot be shipped under a CAPP.

Specimens that are determined not to meet the criteria of artificial propagation as defined by CITES Res. Conf. 11.11 (Rev. CoP13) might qualify for a single-use export. You must submit Form 3-200-32 ([www.fws.gov/forms](http://www.fws.gov/forms/)) to request authorization to export such specimens.

---

**Review this application carefully** and provide complete answers to all of the questions. If a question is not applicable, answer with "N.A." If more space is needed for any of the tables in this document, photocopy the table as needed, or download it from <http://www.fws.gov/forms/>. Number all pages in the bottom right corner.

### This application is divided into 5 parts.

- To export ONLY interspecific and intergeneric hybrids of Appendix II CATTLEYA, CYMBIDIUM, DENDROBIUM (*phalaenopsis* and *nobile* types only), ONCIDIUM, PHALAENOPSIS, and/or VANDA, complete Parts I, IV and V only.
- To export specimens other than above-mentioned orchid hybrids, complete Parts II, III, IV, and V.
- To export specimens in addition to the above-mentioned orchid hybrids, complete the entire form.

Electronic submission of inventories, photographs, and receipts: Some applications contain long inventories and/or a large number of photographs or receipts. You may provide electronic versions of these documents. Such a submission may assist in expediting the processing of your application since it will reduce the data entry by the U.S. Fish and Wildlife Service. You may include a disk containing your information or check here \_\_\_\_ and we will contact you by email for the file.

**PART I. Certain Orchid Hybrids.** Complete Table 1 to request authorization to export interspecific and intergeneric hybrids of **Appendix II** CATTLEYA, CYMBIDIUM, DENDROBIUM (*phalaenopsis* and *nobile* types only), ONCIDIUM, PHALAENOPSIS, and/or VANDA orchids. **For all other specimens, including other orchid hybrids, proceed to Part II.** Photocopy the table as needed, or download it from <http://www.fws.gov/forms/>.

**TABLE 1. CERTAIN APPENDIX II ORCHID HYBRIDS.**

Refer to the Codes for sections marked with double outlines. See page AA in the Instructions for an example of a completed table.

Genus	a. Specimen Description at the time of export		b. Plant Product at the time of export			c. Growing Environment <i>specify code</i>	d. Propagation Method(s) <i>specify code</i>	e. Origin of Specimen Facility name and address, if other than applicant
	Live Plant, <i>specify code</i>	Plant Part, <i>specify code</i>	Specify: code / unit / plants per unit					
<input type="checkbox"/> <i>Cattleya</i> hybrids								
<input type="checkbox"/> <i>Cymbidium</i> hybrids*								
<input type="checkbox"/> <i>Dendrobium</i> hybrids* ( <i>phalaenopsis</i> and <i>nobile</i> types only)								
<input type="checkbox"/> <i>Oncidium</i> hybrids								
<input type="checkbox"/> <i>Phalaenopsis</i> hybrids*								
<input type="checkbox"/> <i>Vanda</i> hybrids*								
<b>CODES</b>	<b>a. Specimen Description:</b> <u>Live Plant</u> - 1 = Flasks; 2 = Seedlings; 3 = Juveniles; 4 = Mature/blooming size; <u>Plant Part</u> - 5 = Cuttings/divisions; 6 = Roots; 7 = Other ( <u>specify</u> ) <b>b. Plant Product Code:</b> 1 = Extracts; 2 = Powders; 3 = Other ( <u>specify</u> ); <u>Unit:</u> Provide measure of weight or volume; <u>Plants Per Unit:</u> Provide total number of plants used per unit <b>c. Growing Environment</b> (where the specimens are growing): 1 = Greenhouse; 2 = Lathhouse; 3 = Lab; 4 = Field; 5 = Other ( <u>specify</u> ) <b>d. Propagation Method :</b> 1 = Seeds; 2 = Cuttings/Divisions; 3 = Flasks; 4 = Other ( <u>specify</u> )							

⇒ If you are NOT requesting authorization to export any other specimens, proceed to Part IV.

⇒ If additional specimens are being requested, complete Parts II and III before proceeding to Part IV.

\*For hybrids of these genera, there are exemptions under CITES that do not require CITES permits for some specimens. See Orchids at: <http://www.fws.gov/permits/faqs/FaqA.shtml> for details.







**PART V. General Information (To be completed by all applicants).**

1. Provide a copy of your State nursery license and U. S. Department of Agriculture Protected Plant Permit.
2. Provide labeled photographs depicting the growing facilities for the specimens described in your application.
3. Describe the type of shipping containers and the arrangements for LIVE plant care during shipping.
4. Address where you wish permit mailed (if different than page 1):
5. If you want the permit to be sent to you by means other than regular mail, provide an air bill, pre-paid envelope, or billing information:
6. Who should we contact if we have questions about the application? (Include name, phone number, and email):

**SAMPLE TABLES**

**TABLE 1. CERTAIN APPENDIX II ORCHID HYBRIDS.**

Genus	a. Specimen Description at the time of export		b. Plant Product at the time of export			c. Growing Environment <i>specify code</i>	d. Propagation Method(s) <i>specify code</i>	e. Origin of Specimen Facility name and address, if other than applicant
	Live Plant, <i>specify code</i>	Plant Part, <i>specify code</i>	Specify: code / unit / plants per unit					
<input checked="" type="checkbox"/> <i>Cattleya</i> hybrids		<b>5</b>				<b>1</b>	<b>2</b>	<b>A1 Orchids Orchid Lane Orchid City, Oklahoma USA</b>
<input checked="" type="checkbox"/> <i>Dendrobium</i> hybrids*  ( <i>phalaenopsis</i> and <i>nobile</i> types only)	<b>1</b>					<b>3</b>	<b>3</b>	<b>Orchids R Us Orchid Blvd. City of Orchids, Wisconsin USA</b>
<b>CODES</b>	<b>a. Specimen Description:</b> <u>Live Plant</u> - 1 = Flasks; 2 = Seedlings; 3 = Juveniles; 4 = Mature/blooming size; <u>Plant Part</u> - 5 = Cuttings/divisions; 6 = Roots; 7 = Other ( <u>specify</u> ) <b>b. Plant Product Code:</b> 1 = Extracts; 2 = Powders; 3 = Other ( <u>specify</u> ); <u>Unit:</u> Provide measure of weight or volume; <u>Plants Per Unit:</u> Provide total number of plants used per unit <b>c. Growing Environment</b> (where the specimens are growing): 1 = Greenhouse; 2 = Lathhouse; 3 = Lab; 4 = Field; 5 = Other ( <u>specify</u> ) <b>d. Propagation Method :</b> 1 = Seeds; 2 = Cuttings/Divisions; 3 = Flasks; 4 = Other ( <u>specify</u> )							

**TABLE 2. SPECIMEN INVENTORY (Excluding hybrids in Table 1).**

Item No.	a. Scientific Name (Genus, species, sub-species, cultivar) **If hybrid, list parental species**	b. Common Name	c. Specimen Description		d. Plant Product			e. Growing Environment <i>t specify code</i>	f. Propagation Method <i>specify code</i>	g. Origin of Specimen Facility name and address, if other than applicant
			Live Plant, <i>specify code</i>	Plant Part, <i>specify code</i>	Specify: code / unit / plants per unit					
<b>1</b>	<b><i>Ferocactus wislizenii</i></b>	<b>Fishhook barrel cactus</b>	<b>4</b>					<b>4</b>	<b>1</b>	<b>Applicant</b>
<b>2</b>	<b><i>Dionaea muscipula</i></b>	<b>Venus fly trap</b>		<b>7</b>	<b>1</b>	<b>18.7</b>	<b>100 ml</b>	<b>1</b>	<b>5</b>	<b>Pat's Pet Plants</b>
<b>CODES</b>	<b>c. Specimen Description:</b> <u>Live Plant</u> - 1 = Flasks; 2 = Seedlings; 3 = Juveniles; 4 = Mature/blooming size; <u>Plant Part</u> - 5 = Cuttings/divisions; 6 = Roots; 7 = Other ( <u>specify</u> ) <b>d. Plant Product Code:</b> 1 = Extracts; 2 = Powders; 3 = Other ( <u>specify</u> ); <u>Unit:</u> Provide measure of weight or volume; <b>Plants Per Unit:</b> Provide total number of plants used per unit <b>e. Growing Environment</b> , where the specimens are growing: 1 = Greenhouse; 2 = Lathhouse; 3 = Lab; 4 = Field; 5 = Other ( <u>specify</u> ) <b>f. Propagation Method :</b> 1 = Seeds; 2 = Cuttings/Divisions; 3 = Root Cuttings/Divisions; 5 = Flasks; 6 = Other ( <u>specify</u> )									



SAMPLE TABLES  
(continued)

**TABLE 3. PARENTAL STOCK (For all specimens in Part II).**

Item No. <i>from Table 2I</i>	Source information						g. No. of plants maintained as growing stock	h. Growing Environment <i>specify code</i>	i. Do you augment from the wild? If yes, how often?
	a. Origin of Parental Stock <i>specify code</i>	b. Supplier NAME: Provide contact info in Table 4	c. Date Acquired	d. Quantity Acquired	e. Material Acquired <i>specify code</i>	f. If wild, location of collection (indicate nearest city, county, state)			
1	2	John Doe Applicant	1995	7	seeds	Sierra Vista, AZ	30	4	Yes, every 10 years
2	1	Pat's Pet Plants				N.A.	50	1	No
<b>CODES</b> a. Origin of Parental Stock: 1 = Cultivated; 2= Wild e. Material Acquired (purchased or collected): 1 = Flasks; 2 = Seedlings; 3 = Juveniles; 4 = Mature/blooming size; 5 = Cuttings/divisions; 6 = Roots; 7 = Other ( <u>specify</u> ) h. Growing Environment (for Parental Plants): 1 = Greenhouse; 2 = Lathhouse; 3 = Lab; 4 = Field; 5 = Other ( <u>specify</u> )									

**TABLE 4. SOURCE INFORMATION**

Name of Source (as identified in Table 3, column b)	Full Address (street address, city, state/province, country, zip code)	Telephone Number	Fax Number (if available)	E-Mail/website (if available)
John Doe Applicant	142 Doe Lane Sierra Vista, AZ 12345	010-000-1001	N.A.	JD@plants.e-mail
Pat's Pet Plants	100 Pat's Way Pauline, VA. USA 10000	000-100-1234	N.A.	<www.ppp.url>

## PERMIT APPLICATION FORM INSTRUCTIONS

The following instructions pertain to the standard permit form 3-200 that must be completed as an application for a U.S. Fish and Wildlife Service or CITES permit. The General Permit Procedures in 50 CFR 13 address the permitting process. For simplicity, all licenses, permits, registrations, and certificates will be referred to as a permit.

### GENERAL INSTRUCTIONS:

- Complete all blocks/lines/questions in Sections A or B, and C and D. Complete all of Section E.
- **An incomplete application may cause delays in processing or may be returned to the applicant. Be sure you are filling in the appropriate application form for the proposed activity.**
- Print clearly or type in the information. Illegible applications may cause delays.
- Sign the application in [blue](#) ink. Faxes or copies of the original signature will not be accepted.
- Mail the original application to the address at the top of page one of the application or if applicable on the attached address list.
- **Keep a copy of your completed application.**
- **Please plan ahead. Allow at least 60 days for your application to be processed. Some applications may take longer than 90 days to process. (50 CFR 13.11)**
- Applications are processed in the order they are received.
- Additional forms and instructions are available from <http://permits.fws.gov/>.

### COMPLETE EITHER SECTION A OR SECTION B:

#### Section A. Complete if applying as an individual:

- Enter the complete name of the responsible individual who will be the permittee if a permit is issued. Enter personal information that identifies the applicant. ***Fax and e-mail are not required if not available.***
- If you are applying on behalf of a client, the personal information must pertain to the client, and a document evidencing power of attorney must be included with the application.
- **Affiliation/ Doing business as (dba):** business, agency, organizational, or institutional affiliation *directly* related to the activity requested in the application (e.g., a taxidermist is an individual whose business can *directly* relate to the requested activity). The Division of Management Authority (DMA) will **not** accept *doing business as* affiliations for individuals.

#### Section B. Complete if applying as a business, corporation, public agency, or institution:

- Enter the complete name of the business, agency or institution that will be the permittee if a permit is issued. Give a brief description of the type of business the applicant is engaged in. Provide contact phone number(s) of the business.
- **Principal Officer** is the person in charge of the listed business, corporation, public agency, or institution. The principal officer is the person responsible for the application and any permitted activities. Often the principal officer is a Director or President. **Primary Contact** is the person at the business, corporation, public agency, or institution who will be available to answer questions about the application or permitted activities. Often this is the preparer of the application.

### ALL APPLICANTS COMPLETE SECTION C:

- For all applications submitted to the Division of Management Authority (DMA) a physical U.S. address is **required**. Province and Country blocks are provided for those USFWS programs which use foreign addresses and are not required by DMA..
- **Mailing address** is address where communications from USFWS should be mailed if different than applicant's physical address.

### ALL APPLICANTS COMPLETE SECTION D:

#### Section D.1 Application processing fee:

- An application processing fee is required at the time of application; unless exempted under 50 CFR13.11(d)(3). The application processing fee is assessed to partially cover the cost of processing a request. **The fee does not guarantee the issuance of a permit. Fees will not be refunded for applications that are approved, abandoned, or denied.** We may return fees for withdrawn applications prior to any significant processing occurring.
- **Documentation of fee exempt status is not required for Federal, tribal, State, or local government agencies; but must be supplied by those applicants acting on behalf of such agencies.** Those applicants acting on behalf of such agencies must submit a letter on agency letterhead and signed by the head of the unit of government for which the applicant is acting on behalf, confirming that the applicant will be carrying out the permitted activity for the agency.

#### Section D.2 Federal Fish and Wildlife permits:

- List the number(s) of your most current FWS or CITES permit or the number of the most recent permit if none are currently valid. If applying for re-issuance of a CITES permit, the original permit must be returned with this application.

#### Section D.3 CERTIFICATION:

- **The individual identified in Section A, the principal officer named in Section B, or person with a valid power of attorney (documentation must be included in the application) must sign and date the application in blue ink.** This signature binds the applicant to the statement of certification. This means that you certify that you have read and understand the regulations that apply to the permit. You also certify that everything included in the application is true to the best of your knowledge. Be sure to read the statement and re-read the application and your answers before signing.

**APPLICATION FOR A FEDERAL FISH AND WILDLIFE PERMIT**  
**Paperwork Reduction Act, Privacy Act, and Freedom of Information Act – Notices**

**In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*) and the Privacy Act of 1974 (5 U.S.C. 552a), please be advised:**

1. The gathering of information on fish and wildlife is authorized by:  
(Authorizing statutes can be found at: <http://www.gpoaccess.gov/cfr/index.html> and <http://www.fws.gov/permits/ltr/ltr.shtml>.)
  - a. Bald and Golden Eagle Protection Act (16 U.S.C. 668), 50 CFR 22;
  - b. Endangered Species Act of 1973 (16 U.S.C. 1531-1544), 50CFR 17;
  - c. Migratory Bird Treaty Act (16 U.S.C. 703-712), 50 CFR 21;
  - d. Marine Mammal Protection Act of 1972 (16 U.S.C. 1361, *et. seq.*), 50 CFR 18;
  - e. Wild Bird Conservation Act (16 U.S.C. 4901-4916), 50 CFR 15;
  - f. Lacey Act: Injurious Wildlife (18 U.S.C. 42), 50 CFR 16;
  - g. Convention on International Trade in Endangered Species of Wild Fauna and Flora (TIAS 8249), <http://www.cites.org/>, 50 CFR 23;
  - h. General Provisions, 50 CFR 10;
  - i. General Permit Procedures, 50 CFR 13; and
  - j. Wildlife Provisions (Import/export/transport), 50 CFR 14.
2. Information requested in this form is purely voluntary. However, submission of requested information is required in order to process applications for permits authorized under the above laws. Failure to provide all requested information may be sufficient cause for the U.S. Fish and Wildlife Service to deny the request. Response is not required unless a currently valid Office of Management and Budget (OMB) control number is displayed on form.
3. Certain applications for permits authorized under the Endangered Species Act of 1973 (16 U.S.C. 1539) and the Marine Mammal Protection Act of 1972 (16 U.S.C. 1374) will be published in the **Federal Register** as required by the two laws.
4. Disclosures outside the Department of the Interior may be made without the consent of an individual under the routine uses listed below, if the disclosure is compatible with the purposes for which the record was collected. (Ref. 68 FR 52611, September 4, 2003)
  - a. Routine disclosure to subject matter experts, and Federal, tribal, State, local, and foreign agencies, for the purpose of obtaining advice relevant to making a decision on an application for a permit or when necessary to accomplish a FWS function related to this system of records.
  - b. Routine disclosure to the public as a result of publishing **Federal Register** notices announcing the receipt of permit applications for public comment or notice of the decision on a permit application.
  - c. Routine disclosure to Federal, tribal, State, local, or foreign wildlife and plant agencies for the exchange of information on permits granted or denied to assure compliance with all applicable permitting requirements.
  - d. Routine disclosure to Captive-bred Wildlife registrants under the Endangered Species Act for the exchange of authorized species, and to share information on the captive breeding of these species.
  - e. Routine disclosure to Federal, tribal, State, and local authorities who need to know who is permitted to receive and rehabilitate sick, orphaned, and injured birds under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act; federally permitted rehabilitators; individuals seeking a permitted rehabilitator with whom to place a bird in need of care; and licensed veterinarians who receive, treat, or diagnose sick, orphaned, and injured birds.
  - f. Routine disclosure to the Department of Justice, or a court, adjudicative, or other administrative body or to a party in litigation before a court or adjudicative or administrative body, under certain circumstances.
  - g. Routine disclosure to the appropriate Federal, tribal, State, local, or foreign governmental agency responsible for investigating, prosecuting, enforcing, or implementing statutes, rules, or licenses, when we become aware of a violation or potential violation of such statutes, rules, or licenses, or when we need to monitor activities associated with a permit or regulated use.
  - h. Routine disclosure to a congressional office in response to an inquiry to the office by the individual to whom the record pertains.
  - i. Routine disclosure to the General Accounting Office or Congress when the information is required for the evaluation of the permit programs.
  - j. Routine disclosure to provide addresses obtained from the Internal Revenue Service to debt collection agencies for purposes of locating a debtor to collect or compromise a Federal claim against the debtor or to consumer reporting agencies to prepare a commercial credit report for use by the FWS.
5. For individuals, personal information such as home address and telephone number, financial data, and personal identifiers (social security number, birth date, etc.) will be removed prior to any release of the application.
6. The public reporting burden on the applicant for information collection varies depending on the activity for which a permit is requested. The relevant burden for an Export of Artificially Propagated Plants application is 120 minutes. This burden estimate includes time for reviewing instructions, gathering and maintaining data and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of the form to the Service Information Clearance Officer, U.S. Fish and Wildlife Service, Mail Stop 222, Arlington Square, U.S. Department of the Interior, 1849 C Street, NW, Washington D.C. 20240.

**Freedom of Information Act – Notice**

For organizations, businesses, or individuals operating as a business (i.e., permittees not covered by the Privacy Act), we request that you identify any information that should be considered privileged and confidential business information to allow the Service to meet its responsibilities under FOIA. Confidential business information must be clearly marked "Business Confidential" at the top of the letter or page and each succeeding page and must be accompanied by a non-confidential summary of the confidential information. The non-confidential summary and remaining documents may be made available to the public under FOIA [43 CFR 2.13(c)(4), 43 CFR 2.15(d)(1)(i)].